

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 1

January 13, 2017

SUBJECT: PROCEDURE TO REVIEW "CLEARED OTHER" MURDER INVESTIGATIONS – REVISED; AND, "CLEARED OTHER" CHECKLIST, FORM 03.11.02 – ACTIVATED

PURPOSE: This Order revises Department Manual Section 4/710.40, *Procedure to Review "Cleared Other" Murder Investigations*, in order to update the responsibilities of the Detective Division Homicide Coordinator when the case status of a murder investigation has been classified as "Cleared Other." Additionally, this Order activates the "Cleared Other" Checklist, Form 03.11.02. The "Cleared Other" Checklist shall be used to document all levels of review/approval that are required when the case status of a murder investigation is classified as "Cleared Other."

PROCEDURE:

- I. PROCEDURE TO REVIEW "CLEARED OTHER" MURDER INVESTIGATIONS – REVISED.** Attached is Department Manual Section 4/710.40, *Procedure to Review "Cleared Other" Murder Investigations*, with the revisions indicated in italics.
- II. "CLEARED OTHER" CHECKLIST, FORM 03.11.02 – ACTIVATED.** The "Cleared Other" Checklist, Form 03.11.02, has been activated.
 - A. Use of Form.** This form shall be used to document all levels of review/approval that are required when the case status of a murder investigation is classified as "Cleared Other."
 - B. Completion.** This form shall be completed in its entirety by the investigating officer (I/O).
 - C. Distribution.**
 - 1 – Original, filed behind one of the miscellaneous areas within Sections 24, 25 or 26 of the Murder Book, Form 03.11.01. The I/O shall handwrite "Cleared Other" Checklist on the appropriate section of the Table of Contents of the Murder Book.

1 – TOTAL

FORM AVAILABILITY: The "Cleared Other" Checklist is available in E-Forms on the Department's Local Area Network and is attached for immediate use and duplication.

AMENDMENT: This Order amends Department Manual Section 4/710.40.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.



CHARLIE BECK
Chief of Police

Attachments

DISTRIBUTION "D"

**DEPARTMENT MANUAL
VOLUME IV
Revised by Special Order No. 1, 2017**

710.40 PROCEDURE TO REVIEW "CLEARED OTHER" MURDER INVESTIGATIONS.

Detective Division Homicide Coordinator's Responsibilities. Upon receiving a close-out Follow-Up Investigation, Form 03.14.00, and classifying the case status of a murder investigation as "Cleared Other," homicide coordinators shall forward the Follow-Up Investigation to the Area Detective Commanding Officer (CO) for review and approval.

Once the signed and approved Follow-Up Investigation is returned, the Area homicide coordinator shall ensure that the investigating officer (I/O) completes the "Cleared Other" Checklist in its entirety, and inserts it behind one of the miscellaneous areas within Sections 24, 25 or 26 of the Murder Book, Form 03.11.01. The I/O shall handwrite "Cleared Other" Checklist on the appropriate section of the Table of Contents and Murder Book.

Note: Robbery-Homicide Division (RHD) shall be the ONLY entity approved to update the Consolidated Crime Analysis Database (CCAD) on "Cleared Other" homicide cases.

Area Detective Commanding Officer's Responsibilities. The concerned Area Detective CO shall review the close-out Follow-Up Investigation report classifying the case status of a murder investigation as "Cleared Other" to ensure that it properly meets the Detective Operations Manual guidelines and the Federal Bureau of Investigation Uniform Crime Reporting Handbook guidelines for "Exceptional Clearances." If it does, the Detective CO shall complete and sign his or her name on the appropriate approval block on the last page of the Follow-Up Investigation, and forward the original report along with an Intradepartmental Correspondence, Form 15.02.00, to the CO, RHD. The Intradepartmental Correspondence shall be routed via the Area CO and geographic bureau CO for review.

Area Commanding Officer's Responsibilities. The concerned Area CO shall review the close-out Follow-Up Investigation report classifying the case status of a murder investigation as "Cleared Other" and if in agreement, he or she shall complete and sign his or her name on the appropriate approval block on the last page of the Follow-Up Investigation, and forward the original report to the geographic bureau CO for review.

Geographic Bureau Commanding Officer's Responsibilities. The concerned geographic bureau CO shall review the close-out Follow-Up Investigation report classifying the case status of a murder investigation as "Cleared Other" and if in agreement, he or she shall complete and sign his or her name on the appropriate approval block on the last page of the Follow-Up Investigation, prior to the submission to RHD for review. In addition, the bureau CO shall review and process the Follow-up Investigation reports that are received after RHD's review.

Note: If the concerned bureau CO disagrees with the findings and/or recommendations of RHD when the Follow-Up Investigation is returned for processing, he or she must submit an Intradepartmental Correspondence outlining his or her rationale to the Chief of Detectives, Detective Bureau. The final reviewing authority shall be the Chief of Detectives.

**DEPARTMENT MANUAL
VOLUME IV
Revised by Special Order No. 1, 2017**

Robbery-Homicide Division Commanding Officer's Responsibilities. Upon receipt of a *close-out* Follow-Up Investigation report *classifying the case status of a murder investigation as "Cleared Other,"* the CO, RHD, *shall* assign a lieutenant and senior detective from Homicide Special Section to review the report. The assigned senior detective, RHD, *shall* conduct a review of the murder Follow-Up Investigation report.

Concurrence. If concurrence with the "Cleared Other" classification is met, *the appropriate approval block on the last page of the Follow-Up Investigation shall be stamped and signed by the CO, RHD, documenting RHD's agreement with the classification. The case shall be cleared in CCAD by RHD personnel and the Follow-Up Investigation report shall be forwarded with an Intradepartmental Correspondence to the concerned bureau CO for processing.*

Note: *Robbery-Homicide Division is responsible for updating CCAD of the "Cleared Other" status before sending it back to the concerned bureau CO for processing.*

Non-Concurrence. If RHD does not concur with the "Cleared Other" classification, RHD *shall* meet with the investigating detective. The CO, RHD, *shall* generate an Intradepartmental Correspondence documenting the rationale for non-concurrence and, if appropriate, request additional investigation and/or documented articulation to support the "Cleared Other" classification. The Follow-Up Investigation *shall* be forwarded with an Intradepartmental Correspondence to the concerned bureau CO for his *or* her review.

Note: These documents *shall* be hand carried between commands.

Chief of Detectives Responsibilities. The Chief of Detectives *shall* have final *approval* authority for *close-out* Follow-Up Investigation reports *classifying the case status of a murder investigation as "Cleared Other."*

LOS ANGELES POLICE DEPARTMENT

"MURDER BOOK"

VICTIM(S) NAME (LAST, FIRST): _____

DATE OCCURRED: _____ AREA OF OCCURRENCE: _____ DR NO.: _____

ASSIGNED DETECTIVE(S): _____ SERIAL NO(S): _____

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"CLEARED OTHER" CHECKLIST

Victim's Name (Last, First): _____

DR #: _____

Murder Case #: _____

Verify that the close-out Follow-Up Investigation, Form 03.14.00, has been submitted and is signed by the Investigating Officer if the case status of a murder investigation is being classified as "Cleared Other."

1. ☐ Investigating Officer's Signature, Print Name, Rank, Serial No., and Date Signed.

Ensure that the last page of the close-out Follow-Up Investigation contains the following signature blocks:

2. ☐ Area Detective Commanding Officer's Signature, Print Name, Rank, Serial No., and Date Signed.

3. ☐ Area Commanding Officer's Signature, Print Name, Rank, Serial No., and Date Signed.

4. ☐ Concerned Geographic Bureau Commanding Officer's Signature, Print Name, Rank, Serial No., and Date Signed.

5. ☐ Robbery-Homicide Division Commanding Officer's Signature, Print Name, Rank, Serial No., and Date Signed.

Note: The investigating officer shall handwrite "Cleared Other" Checklist on the appropriate section of the Table of Contents of the Murder Book.

Investigating Officer's Signature

Serial No.

Date